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| APPLICATION NO | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO: | CONFIRMATION NO |
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| (19 899,413 | 07 05 2001 | David J. Hathaway | BUR9-2001-0008-US1 | 4750 |
| 29154 | 2590 03.28.2003 | | | |
| FREDERICK W. GIBB, III MCGINN & GIBB, PLLC 2568-A. RIVA ROAD | | | EXAMINER | |
| | | | PHAN, TI | PHAN, TRONG Q |
| SUITE 304 ANNAPOLIS, MD 21401 | | | ART UNIT | PAPER NUMBER |
| | | | 2818 | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary Examiner | 7 . | | Application No. | Applicant(s) |
|---|---|--|---|--|
| ### TRONG PHAN ### T | , , | | 09/899,413 | HATHAWAY ET AL. |
| - The MAILING DATE of this communication appears on the cover sheet with the correspondence address → Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. 1 Exercises for the map be available under the provisions of \$7 CFR 1.786(a). In no evert, however, may a reply be timely filled the SEX (5) NORTH \$5 to make many the state of \$7 CFR 1.786(a). In no evert, however, may a reply be timely filled the SEX (5) NORTH \$5 to make many the state of \$7 CFR 1.786(a). In no evert, however, may a reply be timely filled the SEX (5) NORTH \$5 to make many the state of th | | Office Action Summary | Examiner | Art Unit |
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| A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. 1. Excessions from may be available under the promotes of 3 CFR 1.15(a). In on event, however, may a reply be timely filed. 1. If the period for reply specified above is less shan think (30) days, a reply within the statulary minimum of think (30) days well be considered through. 1. If the period for reply specified above is less shan think (30) days, a reply within the statulary minimum of think (30) days well be considered through. 1. If the period for reply specified above, the maximum studenty period to reply within the set of the control period for reply within the set of extended period for reply within the set of the control and the set of the control and the set of the s | | | pears on the cover sheet with | the correspondence address |
| THE MAILING DATE OF THIS COMMUNICATION. E-demoiss of time may be available under the provisions of 3 CFR 1.36(a). In colored, however, may a reply be timely filed share SIX (6) MONTHS from the mailing date of the communication. In the preside or selly septicial above is used them think (20) days, a reply-width the statistics or minimum of history (30) days will be considered timely. In the preside or reply widther the set or extended period for reply will, by statistic, cause the application to become ABANDONED (35 U.S. C. § 1.33). Any reply recorded by the Office dort than there ensuring state the mailing date of this communication, even if timely filed, may reduce any valued particular time adjustment. See 37 CFR 1.794(b). 31 Claim (S) This action is FINAL. 32 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213. 32 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213. 33 Claim (S) 1-23 is/are pending in the application. 4a) Of the above claim (S) is/are withdrawn from consideration. 4b) Claim (S) 1-23 is/are rejected. 5c) Claim (S) 1-23 is/are rejected to Silvare allowed. 5c) Claim (S) 1-23 is/are rejected to subject to restriction and/or election requirement. 4application Papers 9) The specification is objected to by the Examiner. 10) The drawing (S) filed on is/are all accepted or b) objected to by the Examiner. 4application Papers 9) The proposed drawing correction filed on is: a) accepted to by the Examiner. 11) The proposed drawing correction filed on is: a) accepted to by the Examiner. 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a) (o) or (f). 3) Acknowledgment is made of a claim for domestic priority documents have been received. 14) Acknowledgment is made | | | VIC CET TO EVOIDE 2 MON | NITH(S) EDOM |
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Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: ATc, ATg, Slew_c and Slew_g in Figs. 6A-6B; all labels in Fig. 11. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-23 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claims 1-23 are not understood because of the following reasons:

a) it is not understood what ATc, ATg, Slew_c and Slew_g in Figs. 6A-6B and all labels and numbers in Fig. 11 really are since they are not described in the specification;

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b) it is not understood how the idealized clock and gate signal waveforms as shown in Figs. 2-3 are associated with the output signal 120 in Fig. 1 since the output signal 120 waveform is not shown;

- c) it is not understood what the setup tests, hold tests, AT test and clock gating test (as described in lines 13-17, page 15; lines 13, 16 and 18, page 17; lines 10, 14, 19 and 22, page 18; lines 9, 12-13, 17-18 and 21, page 22; line 12, page 23 and as recited in claims 5-6, 10 and 20), really are. Since no test circuit or test means or test signal is seen in any drawing of the present invention;
- d) all computations as described from line 9, page 18 through line 20, page 25 of the specification are not understood since it is not understood how the ATgate, delay gate, Slewgate/2, factor K, ATclock and Slewclock are generated. These elements are also not shown in any drawing of the present invention.
- e) it is not understood what the lower input of AND gate 800 in Fig. 8 of the present invention really is.
- 4. The following is a quotation of the second paragraph of 35 U.S.C. 112:
 The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 5. Claims 1-3, 5, 11-13 and 17-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 11 and 17, it is not clear how the step of modifying a timing of a sensing of said first-type of signal to sense said first-type of signal at an earlier point

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in time than said second-type of signal is sensed. Since if the first-type of signal and the second-type of signal are, respectively, the trailing edge and the falling edge of gate signal as recited in claims 2, 12 and 18 or of the clock signal as recited in claims 3, 13 and 19, then, the sensing point with respect to the time is not seen in any drawing of the present invention. Only Fig. 6B of the present invention does show the sensing point 600 in the middle of **the trailing edge** (not falling edge) of clock signal being modified to move earlier than the sensing point 600 in the middle of the **trailing edge** (not falling edge) of clock signal in Fig. 6A.

Claim 3, it is not clear how the first-type of signal and the second-type of signal comprises clock trailing edge signals and also it is not clear how the second-type of clock signal can prevent a transition at the output of the gate device. These features are not seen in any drawing of the present invention. Only the gate signal is seen to be able to prevent a transition at the output of the gate device as described in the specification.

Claim 5, it is not clear how the sensing time is used for computing a setup test since there is no means for computing a setup test shown in any of the drawing of the invention.

Claim 6, it is not clear how the sensing time is used for computing a hold test since there is no means for computing a hold test shown in any of the drawing of the invention.

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Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- 7. Claims 1-23 are, insofar as understood, rejected under 35 U.S.C. 102(a) as being anticipated by Wu, 6,167,001.

Wu, 6,167,001, discloses in Fig. 1 a testing system 10 for measuring setup and hold times for microelectronic device 16 which comprises a D-type flip-flop having a data input D, a clock input C and a positive logic output Q; as shown in Fig. 2, each of data signal and clock signal having a first-type signal (trailing edge) and a second-type signal (falling edge); the data signal having a sensing point at time T1 and the clock signal having a sensing point at time T0 after the time T1 about a delay time of D1;

as shown in Fig. 3, the sensing point T0 of the clock signal being sensed earlier with respect to the sensing point T1 of data signal about a delay time of D3 smaller than D1.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Belkadi et al., 5,768,159, Savithri et al., 6,493,853, Minami et al., 6,272,667, and Wang et al., 5,579,510.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRONG PHAN whose telephone number is (703) 308-4870. The examiner can normally be reached on M-F (8:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on (703) 308-4910. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-4021 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Phantony

TRONG PHAN PRIMARY EXAMINER

March 23, 2003